

performed in any fiscal year in a total amount that exceeds 1.5 percent of the amount appropriated to carry out this chapter for that fiscal year.”.

On page 5, line 3, strike “(3)” and insert “(4)”.

On page 5, line 9, strike “(4)” and insert “(5)”.

On page 5, line 10, strike “2001,” and insert “2002,”.

On page 5, line 16, strike “year.” and insert “year, and the number of employees whose overtime pay under this subsection was limited in that fiscal year as a result of the 15 percent limit established by paragraph (2).”.

On page 8, line 1, strike “1114(e)” and insert “1114(c)”.

On page 9, line 10, strike “notified” and insert “notifies”.

On page 10, beginning in line 19, strike “members, and submit” and insert “members which shall be approved by the Board and submitted”.

On page 10, line 23, insert “together with” before “an”.

On page 12, line 2, strike “Board” and insert “Board, in consultation with the Inspector General of the Department of Transportation,”.

On page 12, line 19, strike “management and” and insert “management, property management, and”.

On page 14, line 1, insert “and” after “2001,”.

On page 14, beginning in line 2, strike “and \$79,000,000 for fiscal year 2003,”.

On page 14, after line 10, add the following:

SEC. 14. CREDITING OF LAW ENFORCEMENT FLIGHT TIME.

In determining whether an individual meets the aeronautical experience requirements imposed under section 44703 of title 49, United States Code, for an airman certificate or rating, the Secretary of Transportation shall take into account any time spent by that individual operating a public aircraft as defined in section 40102 of title 49, United States Code, if that aircraft is—

- (1) identifiable by category and class; and
- (2) used in law enforcement activities.

SEC. 15. TECHNICAL CORRECTION.

Section 46301(d)(2) of title 49, United States Code, is amended by striking “46302, 46303,” and inserting “46301(b), 46302, 46303, 46318,”.

SEC. 16. CONFIRMATION OF INTERIM FINAL RULE ISSUANCE UNDER SECTION 45301.

The publication, by the Department of Transportation, Federal Aviation Administration, in the Federal Register of June 6, 2000, (65 FR 36002) of an interim final rule concerning Fees for FAA Services for Certain Flights (Docket No. FAA-00-7018) is deemed to have been issued in accordance with the requirements of section 45301(b)(2) of title 49, United States Code.

SEC. 17. AERONAUTICAL CHARTING.

(a) IN GENERAL.—Section 44721 of title 49, United States Code, is amended—

(1) by striking paragraphs (3) and (4) of subsection (c); and

(2) by adding at the end of subsection (g)(1) the following:

“(D) CONTINUATION OF PRICES.—The price of any product created under subsection (d) may correspond to the price of a comparable product produced by a department of the United States government as that price was in effect on September 30, 2000, and may remain in effect until modified by regulation under section 9701 of title 31, United States Code.”; and

(3) by adding at the end of subsection (g) the following:

(5) CREDITING AMOUNTS RECEIVED.—Notwithstanding any other provision of law, amounts received for the sale of products

created and services performed under this section shall be fully credited to the account of the Federal Aviation Administration that funded the provision of the products or services and shall remain available until expended.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on October 1, 2000.

**—
PRIVILEGE OF THE FLOOR**

Mr. CLELAND. Mr. President, I ask unanimous consent that my military fellow, Tricia Heller, be granted the privilege of the floor during the presentation of the global role of the United States.

The PRESIDING OFFICER. Without objection, it is so ordered.

**—
AUTHORIZING AIR FORCE MEMORIAL FOUNDATION**

Mr. THOMAS. Mr. President, I ask unanimous consent that the Energy Committee be discharged from further consideration of H.R. 4583, and that the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 4583) to extend the authorization for the Air Force Memorial Foundation to establish a memorial in the District of Columbia or its environs.

There being no objection, the Senate proceeded to consider the bill.

Mr. THOMAS. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 4583) was read the third time and passed.

Mr. THOMAS. Mr. President, I thank my colleagues for their support in passing H.R. 4583. This is legislation that will extend the authorization for the Air Force Memorial Foundation until December 2, 2005. I, along with my fellow marines, fully support the effort to recognize with an appropriate monument the selfless service and sacrifices of the many valiant veterans of the Air Force and its predecessor organizations.

I also note the Air Force Memorial Foundation has already begun the process of considering and selecting sites. In pursuing that effort, I encourage the foundation to identify a location that will suitably express an appropriate theme and do so in a manner that does not infringe upon or detract from other prominent memorials.

In this regard, I note the property known as the Arlington Naval Annex overlooking the Pentagon, the southeast portion of Arlington Cemetery, will soon be available. This location offers a suitable prominent setting for the memorial, and I hope it will be fully considered by the Air Force.

As this entire process moves forward, I request the Air Force carefully consider this property and report its findings to my Subcommittee on National Parks and the rest of the Senate Energy Committee.

I thank the Chair and yield the floor.

**—
NATIONAL TRANSPORTATION SAFETY BOARD AMENDMENTS ACT OF 2000**

Mr. ROBERTS. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 762, S. 2412.

The PRESIDING OFFICER (Mr. THOMAS). The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2412) to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2000, 2001, 2002, and 2003, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCAIN. Mr. President, the full Senate will now consider S. 2412, the National Transportation Safety Board Amendments Act of 2000.

The National Transportation Safety Board, NTSB, is one of our nation's most critical governmental agencies, charged with determining the probable cause of transportation accidents and promoting transportation safety. Among its many duties, the Board investigates accidents, conducts safety studies, and evaluates the effectiveness of other government agencies' programs for preventing transportation accidents. Since its inception in 1967, the NTSB has investigated more than 110,000 aviation accidents, at least 10,000 other accidents in the surface modes and issued more than 11,000 safety recommendations.

The Safety Board is currently experiencing a high level of major accident investigations, many of which are extremely complex. We must act to ensure the Board has the necessary personnel and resources to complete these challenging investigations and carry out its statutory mission.

Given the very limited time remaining during this Congress, the Commerce Committee has worked with the House Transportation and Infrastructure, T&I, Committee in an effort to develop legislation that both Chambers could accept without modification. Both of our Committees want to ensure the NTSB's authorizing legislation can be enacted as soon as possible.

I want to commend Senator HOLLINGS, the Ranking member of the Senate Commerce Committee and House T&I Chairman, BUD SHUSTER, and Ranking Member, JIM OBERSTAR for their assistance in developing the package I bring before the Senate today. The accompanying Manager's Amendment is the product of our joint discussions and resolves the differences in the House-passed and Commerce Committee-passed versions of the NTSB authorizing legislation.

S. 2412 authorizes funding for the Board through fiscal year 2003. The bill also includes a number of provisions requested in the Board's reauthorization submission. These statutory changes include: (1) clarification of NTSB's jurisdiction over accidents on the territorial seas to the twelve-mile limit and its investigative authority over accidents that may have been the subject of intentional acts of destruction; (2) permission to prescribe overtime pay rates for accident investigators; (3) authority to negotiate technical service agreements with foreign safety agencies or foreign governments; (4) authority to collect reasonable fees for the reproduction and distribution of Board products; and (5) permission to withhold voice and video recorder information from public disclosure.

In addition to the provisions requested by the Board, the legislation also includes a number of other provisions intended to improve fiscal accountability at the NTSB. For example, the legislation would statutorily establish a position of Chief Financial Officer, CFO, at the Board. The CFO would report directly to the Chairman of the Board on financial management matters and provide guidance on the implementation of asset management systems. It also directs the Board to develop and implement comprehensive internal audit controls for its financial programs to address shortcomings identified recently by the Department of Transportation Inspector General.

Further, the legislation includes a provision intended to curb what I and others view as excessive member travel expenditures. According to NTSB travel documents, only 15 percent of Board Member travel has been accident-related in the past five years. Non-accident domestic and foreign travel accounts for 85 percent of the total travel expenditures—with 51 percent for domestic travel and 34 percent for foreign travel. While I recognize a legitimate need may exist to participate in important seminars and to gain greater professional expertise that may necessitate travel, this is simply excessive. Therefore, the bill directs the Chairman of the NTSB to establish annual travel budgets, to be approved by the Board, to govern Board Member non-accident travel.

Finally, the bill authorizes the Department of Transportation Inspector General to review the business, financial, and property management of the NTSB. Currently, the Board has no standing Inspector General oversight. The bill ensures that necessary fiscal accountability oversight is provided, while prohibiting the Inspector General from becoming involved in NTSB investigations and investigation procedures.

The NTSB's authorization expired September 30, 1999. The NTSB faces budget difficulties as it seeks to cover the costs of major accident investigations. Therefore, I hope we can move this legislation expeditiously from the

Floor and on to the House for its swift action, and then to the President's desk for signature.

AMENDMENT NO. 4288

Mr. ROBERTS. Mr. President, Senator McCain has an amendment at the desk and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The Senator from Kansas [Mr. ROBERTS], for Mr. MCCAIN, proposes an amendment numbered 4288.

The amendment is as follows:

(Purpose: To make minor and technical corrections in the bill as reported, and for other purposes)

On page 3, line 1, insert "and technical" after "accident-related".

On page 3, line 2, insert "theory and" after "investigation".

On page 3, line 5, insert "goods," after "facilities,".

On page 5, between lines 2 and 3, insert the following:

"(3) LIMITATION ON TOTAL AMOUNT OF OVERTIME PAY.—The Board may not make overtime payments under paragraph (1) for work performed in any fiscal year in a total amount that exceeds 1.5 percent of the amount appropriated to carry out this chapter for that fiscal year."

On page 5, line 3, strike "(3)" and insert "(4)".

On page 5, line 9, strike "(4)" and insert "(5)".

On page 5, line 10, strike "2001," and insert "2002,".

On page 5, line 16, strike "year." and insert "year, and the number of employees whose overtime pay under this subsection was limited in that fiscal year as a result of the 15 percent limit established by paragraph (2)."

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On page 14, beginning in line 2, strike "and \$79,000,000 for fiscal year 2003,".

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In determining whether an individual meets the aeronautical experience requirements imposed under section 44703 of title 49, United States Code, for an airman certificate or rating, the Secretary of Transportation shall take into account any time spent by that individual operating a public aircraft as defined in section 40102 of title 49, United States Code, if that aircraft is—

- (1) identifiable by category and class; and
- (2) used in law enforcement activities.

SEC. 15. TECHNICAL CORRECTION.

Section 46301(d)(2) of title 49, United States Code, is amended by striking "46302, 46303," and inserting "46301(b), 46302, 46303, 46318,".

SEC. 16. CONFIRMATION OF INTERIM FINAL RULE ISSUANCE UNDER SECTION 45301.

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tration, in the Federal Register of June 6, 2000, (65 FR 36002) of an interim final rule concerning Fees for FAA Services for Certain Flights (Docket No. FAA-00-7018) is deemed to have been issued in accordance with the requirements of section 45301(b)(2) of title 49, United States Code.

SEC. 17. AERONAUTICAL CHARTING.

(a) IN GENERAL.—Section 44721 of title 49, United States Code, is amended—

(1) by striking paragraphs (3) and (4) of subsection (c); and

(2) by adding at the end of subsection (g)(1) the following:

"(D) CONTINUATION OF PRICES.—The price of any product created under subsection (d) may correspond to the price of a comparable product produced by a department of the United States government as that price was in effect on September 30, 2000, and may remain in effect until modified by regulation under section 9701 of title 31, United States Code."; and

(3) by adding at the end of subsection (g) the following:

(5) CREDITING AMOUNTS RECEIVED.—Notwithstanding any other provision of law, amounts received for the sale of products created and services performed under this section shall be fully credited to the account of the Federal Aviation Administration that funded the provision of the products or services and shall remain available until expended.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on October 1, 2000.

Mr. ROBERTS. Mr. President, I ask unanimous consent that the amendment be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4288) was agreed to.

Mr. ROBERTS. Mr. President, I ask unanimous consent the bill, as amended, be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2412), as amended, was read the third time and passed.

(The bill will be printed in a future edition of the RECORD.)

AMENDING THE VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1994

Mr. ROBERTS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 1800 and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER (Mr. AL-LARD). Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1800) to amend the Violent Crime Control and Law Enforcement Act of 1994 to ensure that certain information regarding prisoners is reported to the Attorney General.

There being no objection, the Senate proceeded to consider the bill.

Mr. ROBERTS. Mr. President, I ask unanimous consent that the bill be